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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Robert C. Shipman

13516-4

1560

1059 7590 03/19/2008

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EXAMINER

POHNERT, STEVEN C

ART UNIT

PAPER NUMBER

1634

MAIL DATE

DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### **Attachment to Advisory**

**Continuation of box 3:** The amendments to the claims are not being entered because the amendments to the claims raise new issues that would require further search and consideration. Specifically claim 49 has been searched and examined for a fragment that specifically hybridizes to one ABC transporter gene. The search and examination of a fragment that specifically hybridizes to an ABC transporter gene does not require searching of SEQ ID NO 12, 15, 21, 22, 23, 24 25, 26, 35 or 44. The amendment to the claims would thus require new search and consideration.

**Continuation of box 11:**

The request for reconsideration has been considered but does not place the application in condition for allowance for the reasons of record in view of the non-entry of the after final amendment.

Applicants remaining arguments refer to the amended claims and rely solely on the amendments. The applicant provided no further arguments not already considered. Since the arguments were not entered, the arguments are moot. Therefore the arguments drawn to the after final amendments have not been considered.

### **Conclusions**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven C. Pohnert whose telephone number is 571-272-3803. The examiner can normally be reached on Monday-Friday 7:00-3:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla can be reached on 571-272-0735. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Steven Pohnert

/Ram R. Shukla/  
Supervisory Patent Examiner, Art Unit 1634